IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUATION SHEET.
APPEAL FROM ORDER NO.339 OF 2005

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Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.	Court's or Judge's orders

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CORAM: A.S.OKA,J.
DATE : MARCH 14,2005.

P.C.:

1. Heard Counsel appearing for the parties. It is an admitted position that the Respondent No.2 has not challenged the impugned order.

2. All that is done by the Respondent No.1-Plaintiff is that part of his bath room in his residential tenement is converted into English type W.C.. The case of the Appellant is that it is not conversion of bath room but is construction of new W.C.

3. My attention has been invited to the undertaking given by the licensed plumber on behalf of Respondent No.1 to the Respondent No.2-Corporation that the necessary steps will be taken in case there is any leakage of water.

4. The order passed by the learned Trial Judge is an equitable order. The order being equitable and discretionary, no interference is required.

5. Appeal is accordingly dismissed with no order as to costs. All contentions of the parties in the pending suit are kept open.

JUDGE.